

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NORTHERN DYNASTY MINERALS
LTD. and PEBBLE LIMITED
PARTNERSHIP,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, et al.,

Defendants.

Case No. 3:24-cv-00059-SLG
and consolidated cases

DECLARATION OF KEITH BRADLEY

1. My name is Keith Bradley. I am a partner at Squire Patton Boggs (US) LLP in Denver, Colorado, and I represent Northern Dynasty Minerals Ltd. and Pebble Limited Partnership (collectively, “PLP”) in the above-captioned action.

2. I am over the age of eighteen and competent to make this Declaration. I have personal knowledge of all facts recounted in this Declaration. All matters referenced in this Declaration are non-privileged.

3. I submit this Declaration in support of PLP’s request for judicial notice for the documents outlined below.

4. Attached as **Exhibit A** is a true and correct copy of an excerpt from the 2025 Mineral Commodity Summaries, Version 1.2 published by the United States Geological Survey as retrieved from the USGS website at <https://perma.cc/U42D-QV32>.

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5. Attached as **Exhibit B** is a true and correct copy of excerpts from a government publication, the National Wetlands Inventory Code Definitions from the U.S. Fish and Wildlife Service as retrieved from the agency's website here: <https://perma.cc/VDB6-3XYB>. The .zip file containing the excerpted file was similarly retrieved from the agency's website: <https://perma.cc/L4TJ-G8XQ>.

6. Attached as **Exhibit C** is a true and correct copy of the patent conveying Seward Meridian, Township 003S, Range 035W ("S3SR35W") as retrieved from the Bureau of Land Management's website at https://sdms.ak.blm.gov/scanned_images/patent_index.html.

7. Attached as **Exhibit D** is a true and correct copy of the patent conveying Seward Meridian, Township 003S, Range 036W ("S3SR36W") as retrieved from the Bureau of Land Management's website at https://sdms.ak.blm.gov/scanned_images/patent_index.html.

8. Attached as **Exhibit E** is a true and correct copy of the patent conveying Seward Meridian, Township 004S, Range 036W ("S4SR36W") as retrieved from the Bureau of Land Management's website at https://sdms.ak.blm.gov/scanned_images/patent_index.html.

9. Attached as **Exhibit F** is a true and correct copy of the Administrative Appeal Decision, Clean Water Act, POA-2017-00271 (Alaska Dist. Apr. 24, 2023), PLP's appeal of the Army Corps' denial of PLP's permit request.

10. Attached as **Exhibit G** is a true and correct copy of Department of the Army, POA-2017-00271 Record of Decision, Review of the Application by Pebble Limited Partnership (POA-2017-0271).

11. Attached as **Exhibit H** is a true and correct excerpt from a government publication, the United States Geological Survey's September 2025 Mineral Industry Surveys as retrieved from the agency's website here: <https://perma.cc/B935-W65U>.

12. Attached as **Exhibit I** is a true and correct copy of the 2025 Draft List of Critical Minerals, published at 90 Fed. Reg. 41591 on August 26, 2025.

13. Attached as **Exhibit J** is a true and correct copy of the United States Environmental Protection Agency's Final Determination of the Assistant Administrator cornering the Section 404(c) veto in Attleboro, Massachusetts as retrieved from the agency's website here: <https://perma.cc/79X8-CJ7A>.

14. Attached as **Exhibit K** is a true and correct copy of the United States Environmental Protection Agency's Final Determination of the Administrator cornering the Section 404(c) veto in Mobile, Alabama as retrieved from the agency's website here: <https://perma.cc/W3H3-QBW3>.

15. Attached as **Exhibit L** is a true and correct copy of the United States Environmental Protection Agency's Final Determination of the Assistant Administrator cornering the Section 404(c) veto in James City County, Virginia as retrieved from the agency's website here: <https://perma.cc/9W34-H8FZ>.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

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Executed on October 3, 2025, in Denver, Colorado.

/s/ Keith Bradley

Keith Bradley, *pro hac vice*
ScheLeese Goudy, *pro hac vice*
SQUIRE PATTON BOGGS (US) LLP
717 17th Street, Suite 1825
Denver, CO 80202
(303) 830-1776
(303) 894-9239 (facsimile)
keith.bradley@squirepb.com
scheleese.goudy@squirepb.com

Jeffrey M. Walker, *pro hac vice*
Katherine E. Wenner, *pro hac vice*
SQUIRE PATTON BOGGS (US) LLP
2000 Huntington Center
41 South High Street
Columbus, OH 43215
(614) 365-2700
(614) 365-2499 (facsimile)
jeffrey.walker@squirepb.com
katherine.wenner@squirepb.com

Thomas P. Amodio
Kevin M. Boots
REEVES AMODIO, LLC
500 L Street, Suite 300
Anchorage, AK 99501
(907) 222-7100
(907) 222-7199 (facsimile)
tom@reevesamodio.com
kevin@reevesamodio.com

*Counsel for Plaintiffs Northern Dynasty Minerals Ltd
and Pebble Limited Partnership*

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CERTIFICATE OF WORD COUNT

This document follows the type-volume limit of Local Civil Rule 7.4 and contains 549 words, as found by the word-count function of Microsoft 365.

/s/ Keith Bradley

Keith Bradley

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CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2025, I filed a true and correct copy of the foregoing document with the Clerk of the Court for the United States District Court of Alaska by using the CM/ECF system. Participants in this Case No. 3:24-cv-00059-SLG who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Keith Bradley

Keith Bradley

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